



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
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Commissioner

November 17, 2000

Mark Maloney, Director  
Economic Development and Industrial Corporation of Boston  
One City Hall Square  
Boston, MA 02201-1007

Re: BRA Parcel 8; RTN 3-18593

Dear Mr. Maloney:

The Economic Development and Industrial Corporation of Boston (EDIC) has been named a recipient and lead agency pursuant to a Cooperative Agreement with EPA for a Brownfields Revolving Loan Fund (BRLF). The EPA Proposal and Cooperative Agreement Application Process requires that recipients obtain agreement from the State that the recipient may assume the role of lead agency with responsibility for removal activity at a particular site.

The EDIC has entered into an agreement with the Boston Redevelopment Authority (BRA) by which it will provide a loan through the BRLF program to the BRA. The funds will be used to conduct a CERCLA non-time critical removal action at the BRA Parcel 8 site located at the corner of Tremont and Berkley Streets in Boston. This property is a listed site on the Massachusetts Department of Environmental Protection's inventory of reportable releases as a Default Tier 1B site with release tracking number 3-18593. This means a Tier Classification or Response Action Outcome (RAO) statement was due on August 2, 2000. Efforts should be made to provide either submittal to DEP as quickly as possible in order to avoid being cited for noncompliance with M.G.L. c.21E and the Massachusetts Contingency Plan (the MCP).

Mr. Noah Luskin of the BRA has informed us that Ms. Margaret Bursaw will act as the Site Manager. Ms. Bursaw is a Massachusetts Licensed Site Professional (LSP) employed by the Boston Department of Neighborhood Development. The DEP agrees that the EDIC may assume the lead agency responsibility for removal activity at the BRA Parcel 8 site provided that the Site Manager is Ms. Bursaw or another LSP. The Department reserves all rights to withdraw this agreement if enforcement issues arise to warrant it.

Regarding the final cleanup status of the site subject to this agreement, the removal actions conducted pursuant to the BRLF Cooperative Agreement are CERCLA removal actions

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and do not constitute interim or final actions under c. 21E and the MCP. Additional response actions under state law may be required at these sites to properly characterize them and to achieve an RAO. In addition, please refer to DEP Policy WSC # 00-425, "Construction of Buildings in Contaminated Areas." This policy explains the steps necessary to expedite response actions at "brownfields" sites when buildings or other permanent structures are constructed in contaminated areas.

Please do not hesitate to contact Margaret Stolfa or Jay Naparstek of my staff at the above address and phone number if you have any questions.

Sincerely,



Deirdre C. Menoyo  
Assistant Commissioner  
Bureau of Waste Site Cleanup

Cc: ✓ Lynne Jennings, EPA  
Noah Luskin, Boston Redevelopment Authority  
Margaret R. Stolfa, DEP  
Jay Naparstek, DEP  
Richard Chalpin, DEP  
Scott Greene, DEP  
Catherine Finneran, DEP  
Margaret Bursaw, Boston Department of Neighborhood Development